

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In RE APPLICATION of:	:	
Fagan	:	
	:	
Application: 10/797,256	:	Group: 3711
	:	
Filed: 03/30/2004	:	Examiner: Passaniti, Sebastiano
	:	
Title: Golf Putter Head	:	
Having Multiple Strike	:	
Surfaces	:	

OFFICE ACTION RESPONSE B UNDER 37 C.F.R. §§ 111

Assistant Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the restriction requirement dated June 13, 2006, please enter the following
response:

In the Claims

1. (Currently Amended) A golf putter head, comprising:

a top, a bottom, [[a]] opposed flat striking surfaces, [[a]] opposed curvilinear striking surfaces and a shaft receiving aperture;

said flat striking surfaces having a first striking line extending parallel to said flat striking surfaces;

a first cylindrical portion and a second cylindrical portion defining said curvilinear striking surfaces, said curvilinear striking surfaces having [[a]] second striking lines at a toe end of said first striking line and at a heel end of said first striking line, each of said second striking lines extending parallel to the axis of said cylindrical portions and substantially perpendicular to said first striking line; and

at least one recess along said bottom disposed between said first and second cylindrical portions; and,

said second striking lines being located at a distance higher from said bottom than said first striking line when said first cylindrical portion and said second cylindrical portion are contacting said substrate.

2. (Currently amended) The golf putter head of claim 1 wherein said curvilinear striking surfaces have[[s]] an interior radius ranging from 0.84 inches to 0.9375 inches.

3. (Withdrawn) The golf putter head of claim 1 wherein said bottom has at least one recessed portion.

4. (Withdrawn) The golf putter head of claim 3 wherein said at least one recessed portion is semicircular having a radius of 0.875 inches.

5. (Original) The golf putter head of claim 1 wherein said top has a concave portion.
6. (Currently Amended) The golf putter head of claim 5 wherein said concave portion has a radius of 0.875 inches to 1.0 inch.
7. (Withdrawn) The golf putter head of claim 1 wherein said flat striking surfaces contains an insert.

Claims 8-10 (Canceled).

11. (Withdrawn) A golf putter head comprising:
 - a top, a bottom, a flat striking surface, a curvilinear striking surface, a shaft receiving aperture;
 - said flat striking surface having a first striking line;
 - said curvilinear striking surface having a second striking line;
 - said second striking line being located at a distance higher from said bottom than said first striking line;
 - said bottom having at least one beveled edge; and
 - said bottom having at least one convex portion.

12. (Withdrawn) The golf putter head of claim 11 wherein said top has at least one convex portion.

13. (Withdrawn) The golf putter head of claim 11 wherein at least one of said curvilinear striking surfaces has an interior radius ranging from 0.8125 inches to 0.9375 inches.

14. (Withdrawn) The golf putter head of claim 11 wherein said flat striking surfaces contains an insert.

Claims 15-19 (Canceled).

20. (Currently amended) A golf putter head, comprising:

a top surface and a bottom surface;

at least one flat surface for striking a golf ball extending between said top and bottom surfaces;

first and second ends connecting said top and bottom surface and said at least one flat surface, said first and second ends being generally cylindrical in shape defining a curvilinear surface and ~~defining~~ at least a second location for striking ~~[[a]]~~ said golf ball;

said at least second striking locations at a toe end of said first striking surface and at a heel end of said first striking surface being perpendicular to said first striking locations;

at least one recess disposed between said first and second cylindrical ends adjacent said bottom surface;

said curvilinear end surfaces each having a radius which is greater than a radius of a golf ball such that a second strike line is higher than a first strike line when said first strike line is parallel to the ground.

REMARKS

Claim 1, 2, 5, 6 and 20 remain pending in the instant application. Claims 1, 2, 6 and 20 are currently amended. On September 13, 2006, the Examiner conducted an interview with the Applicant's attorney. Applicant's attorney thanks the Examiner for his time in conducting said interview.

Claim Objections

The Examiner has objected to Claims 2 and 6 for a dimensional informality. Applicant has amended the claim limitations to correct this informality. Applicant respectfully requests the Examiner withdraw this ground of objection.

Claim Rejections

The Examiner has rejected Claims 1 and 20 under 35 U.S.C. § 102(b) as being anticipated by Burrows. Applicant has amended Claims 1 and 20 rendering this ground of rejection moot.

The Examiner indicates that the claimed striking line has no defined boundaries and does not defined relative to any defined claim, line or club head orientation. Applicant has amended Claims 1 and 20 to recite that a substantially cylindrical portion defines the curvilinear striking surface having the second strike line. This amendment is believed to address the Examiner's concern.

Further, the Burrows reference fails to teach a cylindrical portion defining a curvilinear surface and further defining a second striking line. Instead Burrows teaches substantially spherical golf balls at ends of the putter which are used as alignment aids but which are not taught or suggested to use as a striking line for putting a golf ball. Further, the fact that the ends

of the putter are substantially spherical would render the task of putting with said ends extremely difficult since there would only be one theoretical point in which the putter ends could strike the golf ball to produce a straight line motion of the golf ball being putted. Any contact of the putted golf ball with the spheres at the end of the putter which is not exactly centered would result in an offline putt which is highly undesirable. Further to that point, it is not understood how a striking line could be defined by Burrows by an end which would have only one true point of contact. As the Examiner is well aware, a line is defined by at least two points. Burrows cannot define a second striking line because two points are not defined by any of the Examiner's alleged second striking line.

The Examiner also states that the claimed "greater than a radius of a golf ball" offers no reasonable explanation of exactly what the size of the claimed golf ball is. The Examiner is directed to Claim 1 which does not make any claim to a golf ball. Therefore, Applicant is confused by this statement.

Finally, the Examiner is further directed to the last clause of Claim 1 which clearly recites that the second strike line is located at a higher distance from the bottom than the first strike line. Such limitation is not taught or suggested in any way by the Burrows reference. The Burrows reference appears to depict the golf balls 13 and ends 22 to have a central location which is substantially equivalent to the center of the putter face 23. Accordingly, the Burrows reference fails to teach all of the elements of the currently pending Claim 1.

Likewise, line 20 has been amended to include a cylindrical portion defining the curvilinear surface and second location for striking the golf ball. The Burrows reference fails to

teach substantially cylindrical shaped first and second ends. Applicant respectfully request this ground of rejection withdrawn.

The Examiner has rejected Claims 1, 5 and 20 under U.S.C. § 102(b) as being anticipated by Long. Applicant has amended Claims 1 and 20 rendering this ground of rejection moot.

The Examiner alleges that the claimed striking line has no defined boundaries and is not defined relative to any defined plane, line or club head orientation. As previously indicated, Claims 1 and 20 have been amended to include a cylindrical portion upon which the curvilinear striking surface is defined. According, the striking line is now defined relative to the other portions of the club head. Regarding the Examiner's issue with the radius of the cylindrical portion, the Examiner is again directed to the USGA standards on golf ball sizes.

The Examiner has rejected Claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by Allport. Claim 1 has been amended rendering this ground of rejection moot.

The Examiner alleges that the claimed striking line has no defined boundaries and is not defined relative to any plane, line or club head orientation. Applicant is assuming that the striking line that the Examiner is referring to is the second striking line along the curvilinear surface. Claim 1 has been amended to recite a substantially cylindrical portion having a curvilinear striking surface having a second striking line. Thus, the second strike line has been defined relative to other portions of the putter head.

Further, the Allport reference fails to describe a putter which may be used in two orientations that are defined by a first and second striking lines. Each of the Allport designs describes a single striking surface which may only be utilized by sliding the putter over the

ground. The putters are not taught or in any way suggested to be used in both an arcuate swinging motion as well as a sliding motion.

Finally, Allport also fails to disclose all the elements of the presently claimed invention as recited in Claim 1. Specifically, Claim 1 recites, “said second striking line being located at a distance higher from said bottom than said first striking line.” This is clearly shown in Figure 1. However, the Allport design does not teach or suggest, in any way, having a first strike line at a first height and a second strike line at a second height greater than said first striking line.

It is respectfully requested that this ground of rejection be withdrawn.

The Examiner has rejected Claims 1 and 5 under U.S.C. § 102(b) as being anticipated by Smith. The Examiner alleges that Smith teaches a flat striking surface I and a curvilinear striking area C. The Examiner is directed to column 2, line 30 wherein element C is described as a non-scuff shoe. The shoe cooperates with the rear of the blade to permit the golfer to swing the shoe under the golf ball and lift it from a ditch or any other surface. However, the non-scuff shoe is not taught to operate as a striking surface for causing motion of the golf ball on an intended target. Further, Claim 1 has been amended to recite a substantially cylindrical portion defining a curvilinear striking surface having a second striking line wherein the second strike line is located at a distance higher from the bottom than the first striking line. Such limitation is not taught or otherwise suggested in the prior art. Claim 5 depends from Claim 1 and therefore also includes the limitations previously described.

The Examiner has rejected Claim 6 under 35 U.S.C. § 103(a) as being unpatentable over Smith. Applicant has amended Claim 1 rendering this ground of rejection moot.

Claim 1 as currently amended recites a substantially cylindrical portion defining said curvilinear striking surface having a second strike line. The Smith reference fails to teach any curvilinear surface which is used to strike a golf ball along an intended target line. The Smith reference also fails to teach a second striking line positioned higher from the bottom of the putter than a first striking line. For these reasons, the Examiner is respectfully requested to remove this ground of rejection.

Interview

During the above referenced interview, the Examiner produced additional relevant references which Applicant's attorney has claimed over. Specifically, the Examiner discussed US Patents 6,595,867 to Sosin, 5,993,324 to Gammil, 4,871,174 to Kobayashi, and 4,010,958 to Long. However, Applicant's attorney indicated to the Examiner that these references are overcome by the present claims for at least the following reasons: (1) the cylindrical portions of those references are not at the toe and heel ends, or (2) the cylindrical portions are not contacting the ground, or (3) the references do not teach or suggest a recess disposed between the first and second cylindrical portions. For at least any one of the above reasons, the pending claims are believed to overcome the art of record.

Respectfully submitted,

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